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*Attorneys for Plaintiff Russell B. Toomey*

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**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

**Russell B. Toomey,**  
Plaintiff,  
  
v.  
**State of Arizona; Arizona Board of Regents,  
D/B/A University of Arizona,** a governmental  
body of the State of Arizona; et al.,  
  
Defendants.

Case No.19-cv-00035-TUC-RM (LAB)

**STIPULATION REGARDING  
THE EFFECT OF THE  
STIPULATED PROTECTIVE  
ORDER ON NON-PARTY  
DISCOVERY**

**WHEREAS,** Plaintiff Russell B. Toomey served Non-Party Cigna Health Care (“Cigna”) with a Non-Party Subpoena to Produce Documents (“Plaintiff’s Non-Party Subpoena”) in this matter, which was filed with the Court on January 8, 2021 (Doc. No. 154.); and

**WHEREAS** Cigna agreed to produce certain confidential documentation subject to a “So Ordered” Protective Order in its Responses and Objections to Plaintiff’s Non-Party Subpoena:

**IT IS HEREBY STIPULATED AND AGREED,** by and between the undersigned, attorneys of record for all the parties to the above-captioned action as well as the attorneys for Non-Party Cigna, that the terms of the Stipulated Protective Order that was “So Ordered” by the Hon. Leslie A. Bowman, U.S.M.J. on March 5, 2021 apply to documentation produced by Non-Party Cigna in this action pursuant to Plaintiff’s Non-Party Subpoena. (Doc. No. 165).

1           **SO STIPULATED.**

2           Dated: June 29, 2021

3                           ACLU FOUNDATION OF ARIZONA

4                           By /s/ Christine Wee  
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25                          Attorneys for Plaintiff Russell B. Toomey

26                          FENNEMORE CRAIG, P.C.

27                          /s/ Ryan C. Curtis (with permission)  
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                                Attorneys for Defendants State of Arizona,  
                                Andy Tobin, and Paul Shannon

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 29, 2021, I electronically transmitted the attached document to the Clerk’s office using the CM/ECF System for filing. Notice of this filing will be sent by email to all parties by operation of the Court’s electronic filing system.

I, further hereby certify that on June 29, 2021, I emailed the attached document to:

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Robinson Cole  
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*Attorneys for Non-Party Cigna Health Care*

/s/ Christine K. Wee  
Christine K. Wee

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**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

**Russell B. Toomey,**  
Plaintiff,

Case No.19-cv-00035-TUC-RM (LAB)

v.

**[PROPOSED] ORDER**

**State of Arizona; Arizona Board of Regents,  
D/B/A University of Arizona,** a governmental  
body of the State of Arizona; et al.,  
Defendants.

In consideration of the parties’ Stipulation regarding the effect of the Stipulated Protective Order on Non-Party Discovery regarding the Subpoena served upon Non-Party Cigna Health Care (Cigna) (Doc. \_\_\_\_ ) and good cause appearing therefore,

**IT IS HEREBY ORDERED** that attorneys of record for all the parties to the above-captioned action as well as the attorneys for Non-Party Cigna, that the terms of the Stipulated Protective Order (Doc. 165) apply to documentation produced by Non-Party Cigna in this action pursuant to Plaintiff’s Non-Party Subpoena. (Doc.154).

Dated this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Leslie A. Bowman  
United States Magistrate Judge